

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 07 PARIS 002399

SIPDIS

GENEVA FOR CD DEL; HAGUE FOR CWC DEL

E.O. 12958: DECL: 04/07/2015

TAGS: [PARM](#) [PREL](#) [TBIO](#) [CBW](#)

SUBJECT: (C) CWC/BWC: MEETING OF CLOSE ALLIES, PARIS,  
MARCH 10, 2005

REF: A. STATE 041125

[B](#). STATE 246161

[C](#). STATE 41021

Classified By: Political Minister-Counselor Josiah Rosenblatt for reasons 1.4(b) and (d).

[1](#)1. (C) Summary: Close Allies (U.S., UK, France, Germany) met to coordinate actions for the upcoming OPCW Executive Council meeting and to review both joint and bilateral efforts on compliance, Article VII implementation, financial/personnel matters and CW destruction. Discussion on BWC primarily focused on planning for the June Experts Meeting on Codes of Conduct for Scientists. Although useful as a tool for coordination, the Paris meeting was truncated due to a French labor strike and lacked its traditional interaction due in part to the absence of key participants and a general reliance on the U.S. to take the lead on CWC/BWC issues. End Summary.

[1](#)2. (C) France hosted a meeting of the Close Allies on March 10 to cover pressing issues relating to the Chemical Weapons Convention (CWC) and Biological Weapons Convention (BWC). The U.S. Delegation was led by Guy Roberts, OSD BWC Deputy, standing in for Amb. Donald Mahley. He was joined by the U.S. Representative to the Organization for the Prohibition of Chemical Weapons, Amb. Eric Javits, and a delegation consisting of State BWC Deputy Katharine Crittenberger (State VC), Jennie Gromoll and Dan Callahan (State AC), Sue Ryan and Louis Alvarado (State VC), Ed Freeman (DOC) and Emboff Leslie Ordeman. UK Delegation - Sarah Price, Gerald Erskine (MOD), James Harrison (MOD), Martin Rudduck (Trade), and Mark Matthews (Hague del). France - Marion Paradas (MFA), Sophie Moal-Makame (Hague Del), Frederic Aubry, Laure Becque-Corcos, Stephanie Dare-Doyen (Trade), Bruno Dupre, Emmanuel Pizzo (MOD), Etienne Sur, Gabriel Bernier and, on loan from UK Hamish Cowell (MFA). Germany - Bernhard Brasach, Gabriele Kraatz-Wadsack (MFA) and Ronald Albrecht (Hague Del/Art. VII Facilitator).

[1](#)3. (C) Allies were in general agreement with the U.S. approach on most CWC and BWC issues, although testy about U.S. and Russian CW destruction deadlines and their inter-relationship. It is clear that the UK is spread thin on WMD issues and distracted by its upcoming Presidency of the EU, current G-8 Presidency and Geneva BWC Chairmanship for 2005. But for sporadic comments, the UK did not engage beyond the party line on CWC or BWC. Due to a Paris strike, UK CD Amb. John Freeman was unable to attend and address the group on his plans for the BWC Codes of Conduct session in June. MFA Rep Sarah Price spoke on his behalf. However, others around the table were not well versed on the fine details, and little detailed discussion ensued. (Note: The UK released the "second Freeman letter" in Geneva March 21, (and distributed it during this meeting) having had only comments from the U.S. End Note.) Although the French had a large delegation, there was little interaction in any discussion. The German delegation filled the void by peppering the U.S. del with detailed questions, primarily on CWC related issues.

--Compliance--

[1](#)4. (C) Del members Crittenberger and Ryan provided updates on the U.S. compliance diplomacy initiative and compliance issues related to Kazakhstan, Iran, and Libya. U.S. presentations were positively received by allied partners and generated compliance discussion.

[1](#)5. (C) Although the French presented no "new elements of compliance," Marion Paradas offered that compliance diplomacy has "good momentum." During Australia Group-related meeting in Beijing the week before, the Chinese MFA Reps emphasized the "need for treaty compliance and nonproliferation initiatives."

[1](#)6. (C) Regarding specific country compliance issues, U.K. experts Erskine and Harrison stated that the U.K. shares U.S. compliance concerns but had little new information to report. The U.K. continues to monitor 10 states of concern closely, including Libyan CW destruction efforts as they want to be confident before stating that Libyan WMD has been eliminated.

U.K. continues to have concerns about Iran, as does the U.S., but had little to add to the U.S. presentation. Erskine stated that the U.K. has "many questions" about how Iraq's CWC declaration will be compiled. The U.K. is monitoring Middle Eastern countries that may or could join the CWC including Syria and Lebanon.

17. (C) Citing U.S. efforts to acquire copies of specific Technical Secretariat (TS) reports of inspections in Iran in 1999, German Rep Brasach lamented the inadequate scrutiny by States Parties of Iran's initial declaration and that the TS was too quick to give Iran's declared CWFs certificates of destruction. Berlin is discussing this issue with the TS; it needs to be more transparent about its activities. UK Reps agreed with U.S. and German positions. Germany is concerned that the OPCW needs to make certain that there is a "real" conversion of the Rabta CWF, and that Tripoli not follow the example of past conversions in Russia and elsewhere that either left CW production capacity intact or did not result in commercially viable enterprises. Libya and Russia could benefit from additional international assistance to implement their CWC obligations.

#### --Financial Issues--

18. (C) 2006 OPCW Budget: Del delivered points regarding U.S. perspective on the 2006 OPCW budget, indicating we will push for a very lean budget and further improvements in the "results-based" aspects of the budget. Del also noted that we will seek further increases in the number of OCPF inspections ("Other Chemical Production Facilities," producing discrete organic chemicals not listed on Schedules 1, 2, 3 above certain thresholds); push for a practical approach to dealing with the increasing number of vacancies; and take a closer look at the adequacy of the current training scheme for new inspectors. The del also highlighted the increasing problem of non-payment, which has resulted in a sizable number of member states losing voting rights for failure to pay dues. All recommended demarching capitals to encourage payment. The UK echoed the U.S. points on pursuing a lean 2006 budget, further developing results-based budgeting (RBB) elements, increasing OCPF inspections, and addressing vacancies and non-payment. Germany assesses payment problem is worse because additional States Parties are paying only enough of their assessments to keep their voting rights. Berlin thinks that Brazil's payment shortfall is due to a "political grudge over an old issue," referring to the Bustani situation. Beyond this, German and French dels offered little on this issue other than general support for U.S. and UK points.

19. (C) Director-General selection: Amb. Javits reviewed U.S. approach to selection process for the next Director-General. The U.S. would support reappointment of Argentinean Director-General Rogelio Pfrter whose contract ends in June 2006, if he is interested. Allies agreed Pfrter had done an excellent job, post-Bustani, in running the OPCW. It was acknowledged the Latin American Group (Grulac) has profited from several terms, and because there was no early indication of support for any other qualified candidates, there was a general expression of the group that the DG, if willing, deserved the support of the Close Allies for another term. However, France and the UK said formal decisions from capitals were needed. After confirmation of support in capitals, Allies will ascertain Pfrter's willingness to serve another term and indicate group's support for his candidacy if he is interested. All agreed a needed precedent could be established during this nomination process -expected to be non-controversial - unlike when former DG Bustani raised his re-appointment under Any Other Business. Germany made a point of noting this group should coordinate our approach, unlike last time when one country moved out unilaterally.

10. (C) U.S. Del shared its thoughts on process. Ideally, a letter would be sent from the Chairman of the Executive Council to all States Parties, by early April announcing the decision of the DG to be a candidate and setting a date of August 1 for other candidates, if any, to step forward and submit CVs. Candidates would address the September 27-30 Executive Council. A decision could then be taken based on its recommendations at the November Conference of the States Parties (CSP-10).

11. (C) UK and German Reps noted the WEOG ought to be careful in its presentation of this proposal to the EC Chairman, lest excessive WEOG fingerprints hurt the process. If acceptable and in an effort to avoid excessive debate on procedures, the EC Chairman would state the above process in his letter and consult with regional vice-chairman to achieve general acceptance for this approach. Allies agreed to confirm this approach in capitals, consult in The Hague and be sure Pfrter is on-board. The next EC Chairman will be voted at March EC and installed May 10.

¶12. (SBU) "Amigo" system: The German del voiced a general concern about the recent trend of the TS hiring staff from member state delegations to the OPCW, but did not raise doubts about any specific individual. This approach, characterized by Brasach as the "amigo" system, could have the effective result of narrowing the likely pool of applicants that are seriously considered, and also noted a number of members from current delegations that are angling for a spot in the Technical Secretariat (TS). Amb. Javits offered that, while the "amigo" system should not be taken to an extreme, the DG should be given a certain latitude in selecting his senior staff, having done a good job so far. The UK del noted that, while this is a tricky question, there are no glaringly bad examples so far, offering praise for the Legal Advisor, Amb. Onate (Mexico) and Special Projects Director Amb. Khodakov (Russia) and that the specific nature of the OPCW's work would inherently favor those candidates who have had direct experience with the OPCW.

¶13. (SBU) ILOAT/Provident Fund: Del provided a U.S. non-paper analyzing the International Labor Organization's recent judgment on claims by TS staff related to the Provident (investment) Fund, and stressed that steps should also be taken to protect the OPCW from similar charges in the future. Del noted increased member state oversight was not sufficient and that the procedures for running the Fund need to be revised to formally limit the risk of financial losses, which could prompt further claims in the ILOAT. The UK and France voiced their displeasure with the judgments and agreed upon the need to permanently resolve this issue.

#### --Article VII (Implementation)--

¶14. (SBU) Allies were surprisingly accepting of U.S. suggestions on potential measures taken after the CSP for those States Parties not fully implementing the Convention, but noted the likely difficulty in getting such measures approved. Specific timelines and criteria are spelled out in U.S. non-paper distributed prior to the Paris meeting. (See para 34). Formal comments have been requested by mid-April. The UK del offered strong support for the paper, but appear to view it as a tactical exercise, not as a "bottom line." France appeared the most lukewarm in its support, seemingly inclined to push the issue off until the fall. German Rep suggested adding even more detail to the paper, yet surmised it would be difficult to get Executive Council agreement to any measures prior to the September EC. He specifically noted that in a recent meeting with members of the African Group, delegations appeared united in opposition to the idea of "measures" against those who fail to meet the deadline, and that the emphasis should remain on assistance. He suggested this group meet with newly appointed Art. VII "czar" Mexican Amb. Onate. Examples were given of legislative problems making implementation slow even in key capitals such as Onate's. Roland Munch and Mark Matthews (present/past Facilitators) noted the disorganization and infighting amongst Technical Secretariat offices. Onate is off to a good start naming 23 target countries and will be traveling personally to many of the TS and national workshops.

¶15. (SBU) Del member Gromoll noted the urgency for bilateral assistance visits in capitals, giving examples of the progress made the week before in Kenya, Burundi and Rwanda. U.S. and TS lawyers sat down with those trying to establish implementing measures, such as the Office of National Authority rep, and walked through details and in all cases agreed a national Action Plan for completion of measures prior to agreed December 2005 deadline. Each country was reticent to accept U.S. help but by the visit's end were praising success made (this holds true in many Caribbean countries as well). U.S. high-priority countries were relayed to group. While regional workshops are helpful in general, Gromoll argued that the time has come for a state-by-state review of needed assistance and close coordination with the TS on prioritization of those that have requested assistance and those targeted as non-proliferation concerns. Representatives of those States Parties receiving assistance could usefully be approached to spread the word on usefulness of bilateral visits.

¶16. (SBU) The three allies agreed that the paper should be distributed more widely during or around the June EC, and that doing so earlier would put a damper on the current period when assistance is the emphasis. In this way, States Parties might turn in requests for assistance by the requested June EC meeting knowing penalties will be instituted. Group will stay in close contact on those countries needing assistance in an effort to cover the waterfront before more time passes. While agreeing in principle and lauding the cause, UK, France and Germany have merely relied on regional workshops and not focused the resources on what is needed at this juncture (even within the EC). Munch and Matthews noted on the margins appreciation for Washington's efforts and continued nudging of this group

in particular.

¶17. (U) French MOD Rep then noted planned training sessions in Paris in June and October and potential to do them again in successive years. MFA Rep Moal noted 45-50 participants have attended in the past, at which point Munch interjected States will attend as a method to insulate themselves from doing nothing further before the CSP. U.S. Rep Roberts re-emphasized the need for bilateral visits and the high cost of inviting all States Parties to a session in Paris (hinting that participants are likely to be those higher-ranking wishing a trip to Paris).

--Information Update on CW Destruction--

¶18. (C) Allies focused mainly on Russian and U.S. destruction efforts. However, Germany believes the situation in Albania is a concern from a nonproliferation perspective, CW must be kept out of the "wrong hands." Germany is not concerned from the perspective of Albanian compliance with CWC. Regarding assistance for the Kambarka CWDF, Germany indicated that while there had been delays on the Russian side, such as problems with delivery of equipment by subcontractors, it was overall satisfied with the level of bilateral cooperation. Germany indicated that completing the facility by the end of 2005, as envisioned by Russia, was unlikely and, in any case, the facility would not likely begin destroying CW until mid-2006. The Russians have expressed interest in Germany providing assistance in constructing a facility to destroy nerve agent stocks at Leonidovka and is apparently planning on constructing the Maradykovskiy plant on its own. (Note: No mention was made of the facility at Pochep. End Note.). The UK voiced concerns about Russian plans at Maradykovskiy, especially regarding disposal of the reaction masses, and will, like the U.S., discuss this with the Russians on the margins of the March Executive Council. (UK rep provided U.S. del with copy of UK questions on Maradykovskiy.) On the margins, UK indicated interest in helping Russia construct a CWDF at Kizner.

¶19. (C) U.S. Rep Roberts provided an update on the status of U.S. destruction efforts. Without specifically pressing on the issue of the U.S.'s ability to meet the 2012 deadline, the allies, with Germany taking the lead, expressed concern that any delays in U.S. destruction efforts would make it difficult to put further pressure on Russia to meet its CW destruction obligations in a timely manner. The allies are also looking to the U.S. to "set the best example," vis-a-vis Russia, on issues such as endpoint of destruction and ensuring proper verification. Germany and the UK showed particular interest in U.S. plans for second stage disposal of hydrolysates resulting from neutralization at the Newport CWDF, with the former voicing concerns about recent statements from DoD officials that one of the options being considered for accelerating destruction is re-evaluating the endpoint of destruction.

¶20. (C) In response to allied concerns, Roberts reminded allies that the U.S. is committed to doing all it can to meet its destruction obligations in stark contrast to the less-than-adequate Russian destruction efforts. Roberts affirmed that the U.S. has not changed its position, and remains unconvinced that first-stage neutralization of Russian nerve agent satisfies the endpoint of destruction. Roberts emphasized that the U.S. has no intention of cutting a bilateral deal with Russia on endpoint, and encouraged the allies to take a more active role in advancing discussion of this issue at the OPCW. The German del expressed satisfaction with Robert's statement that nothing in the recently published verification plan and facility agreement for the Newport CWDF was intended to establish first-stage hydrolysis as constituting the end-point of agent destruction for CW purposes.

--OCPF Inspections--

¶21. (C) The UK emphasized the need for stronger support in the WEOG on OCPF inspections and believes that any consideration of tweaking the proposed U.S./Swiss formula should be pushed off until we are at endgame. The UK wants OCPF selection methodology resolved by the June EC. Germany offered support in "generic" terms, including the involvement of States Parties in the selection process, but then raised more general issues, such as State Party failure to declare OCPFs, the need for random re-inspections, and asking how many inspections would be enough. Germany agreed the system must be fixed. Such a fix could entice new members to accede to CWC. France expressed "appreciation" of U.S./Swiss efforts, but emphasized the importance of ensuring "balance" in the selection process. France suggested that dels consider developing "technical arrangements" to avoid any perceived imbalances, but specifically said they were not

advocating changes to the proposed formula. Instead, France recommended incorporating into any eventual decision transparency measures and opportunities for evaluation to be employed during initial utilization of the selection criteria so that member states can see the impact of the new approach.

-----  
Biological Weapons Convention  
-----

--2005 Work Program--

122. (SBU) Chairman's Views. Although the 2005 Chairman, UK Amb. John Freeman was unable to attend the meeting due to its curtailment; UK HOD Price spoke on his behalf. She circulated the draft of a second diplomatic note Freeman intends to provide all States Parties, elaborating in more detail upon his plans for addressing the 2005 agenda item and for the June Experts Meeting on Codes of Conduct for Scientists. Freeman plans to send the letter out "quite soon," (Note: Occurred March 21. End Note.) will take comments, and is not trying to be prescriptive. In sending the letter, he will be encouraging broad based participation in the meeting, trying to ensure the right people speak at the appropriate times, and inviting feedback from Parties. He is particularly interested in what States Parties want at the end of the process. From his perspective, one draft code of conduct is not achievable or desirable, but he hopes to stimulate discussion and raise awareness of the myriad activity taking place. Price explained that Freeman might be looking at a result that could include elements or considerations that should be taken into account by those preparing codes of conducts. The UK is conducting outreach with MFA's and S&T communities; Secretariat in Geneva is preparing background papers on work on-going and potential participants.

123. (SBU) Views of Others. German del welcomed the details and plans to make 2-4 presentations at the Experts Meeting focusing on the work of government science, university and professional bodies; Germany wasn't having much luck generating interest from industry. Brasack said the German constitution does not provide for "promulgating" codes so the result of the 2005 meetings cannot be one universal code of conduct. Results could include non-exhaustive, generic elements that could be of importance when laying down codes at a national level. U.S. Rep Roberts noted that governments can impose training requirements, etc., in providing grants or contracts, even when there are no Constitutional requirements. Roberts reviewed the U.S. objectives for the meeting (ref c). French Rep Paradas stressed the importance of managing expectations of the WEOG, noting that the results of 2005 should be consistent with those of 2004 and 2003. French MFA Official Bernier noted that the MFA was working with the PM's office, the Ministry of Health and the National Advisory Board for Health and Life Sciences in preparing for the meeting. They, too, were having difficulties engaging industry, which doesn't want to be associated with BW. France was looking for basic, straightforward and reasonable results.

124. (SBU) Organization of Meeting. France stressed the importance of the distinctions between open and closed sessions. UK Rep Price said they were looking for diverse, representative participation in the Meeting, noting they too had generated little industry interest. Brasach suggested that WEOG exchange lists of presentations in order to reduce overlap and fill in gaps. U.S. Rep, picking up on the French comments about open/closed meetings, deployed guidance ref c on participation in the Meeting, the role of relevant NGO's versus political interest groups, U.S. opposition to NGO's being embedded in national delegations, and suggested as a management tool that the Chairman request abstracts from all non-government entities wishing to contribute to the Experts Meetings. The UK did not comment on the abstract proposal.

125. (C) Follow Up on 2003/2004. Discussion on follow-up of the 2003, 2004 meetings in part digressed into discussion of how to approach the Sixth Review Conference (RevCon) in 2006. French deloff Bernier suggested reviewing the usefulness of the 2003-2005 Work Program and addressing how to handle it including follow-up in 2006. Brasach responded that the process was "dual-use" - it addressed important, practical measures, and could provide material for further elaboration post-RevCon. While the RevCon won't agree to continue Ad Hoc Group activities, the importance of bioterrorism, and other urgent bio-related issues, are such that States may not want a four-five year gap. All should be thinking about suitable topics for follow-up.

126. (C) UK Rep said it had yet to assess results of the current Work Program, but it does see value in intersessional activity between RevCons to expand knowledge and keep States talking about the BWC. Further, they would not want to signal that the past three years have been wasted; our assessment of the Work Program should be promoted positively. U.S. Rep agreed that we need to approach the Sixth Review



Conference with a positive message on the 2003-2005 Work Program. At that time, we will be looking to see what States have done in follow-up to the Work Program elements. The RevCon should reflect on the 2003-2005 Work Program, as specified when the program was agreed. Germany, France, and U.S. indicated they were preparing updated lists of experts and labs to provide the UN SYG regarding investigations of BW/CW use.

127. (U) Sixth RevCon: Chairmanship. No candidates have been noted; the non-aligned will hold the chairmanship.

128. (SBU) Sixth RevCon: Substance. French Rep reported the European Union is coordinating European preparations for the RevCon. The Dutch are sponsoring an EU seminar in April, and while EU President, had requested a study focusing on "Institutions/Substance/CBMs/New Elements." The UK will continue EU work under its Presidency focusing on practical measures to win consensus and allow small but valuable input to the Review Conference. UK noted there were a number of ideas being bandied about, such as the UN SYG's High-Level Panel suggestions to negotiate Verification and Biosafety Protocols. London has tried to dampen UN-related enthusiasm for a Verification Protocol and believes the notion of a single Biosafety Protocol also needs to be dealt with. UK is coordinating with Finns and Austrians on the RevCon ideas (they follow UK in the EU Presidency). Germany pointed to the CWC Review Conference where Action Plans on universality and national implementation were adopted as a model for the BWC RevCon; UK suggested that universal membership and compliance are the key issues to address.

129. (SBU) U.S. Rep noted that the U.S. was in the early stages of preparing for the Review Conference, but confirmed that a return to Protocol or "verification mechanism" negotiations was off the table. U.S. noted that the WEOG was in line for Drafting Committee Chairmanship, and asked if others had considered how to organize the RevCon - conduct a traditional Article-by-Article Review or organize along other lines?

130. (U) BWC/1925 Geneva Protocol Anniversaries. Germany will host a seminar March 23 in Berlin on the occasion of the BWC's 30th anniversary. France reported that its earlier efforts to coordinate with the Swiss on a symposium commemorating the 1925 Geneva Protocol's 80th anniversary were "on hold." They weren't clear what the Swiss might be planning. U.S. and UK noted the BWC Depositaries would release a joint statement on the BWC's 30th anniversary (March 26). France may do the same in June as Depositary of the Geneva Protocol. G-8 Senior Review Group members have agreed to note the anniversaries and the progress of the Work Program in July Gleneagles Summit statement.

131. (U) BWC CBMs. All are on track to submit CBM declarations by April 15 deadline and encourage others to do the same. (Note: EU WMD Coordinator Gianelli is cracking the whip on the many EU countries not submitting acceptable CBMs in past.)

132. (U) French Interior Ministry comments on INTERPOL Bioterrorism database: French Reps confessed that the Interior Ministry statement two days prior had been a surprise; MFA had not even seen full draft. They promised to provide Interior Minister Villepin's statement and any additional information as it becomes available.

133. (U) Next Meeting: Germany offered to host in Berlin in September/October.

End Cable Text.  
LEACH